

**COPY**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Carlo M. Croce and Hideshi Ishii

Application No.: 09/513,888 Group: 1636

Filed: February 25, 2000 Examiner: James S. Ketter

Confirmation No.: 6972

For: COMPOSITIONS, KITS AND METHODS RELATING TO THE  
HUMAN *FEZ1* GENE, A NOVEL TUMOR SUPPRESSOR GENE

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

October 11, 2006

Date

*Marianne Lentini*

Signature

MARIANNE LENTINI

Typed or printed name of person signing certificate

**REQUEST FOR CORRECTED FILING RECEIPT**

**FOR UTILITY APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We hereby request that the following items of information be corrected in the Filing Receipt for the subject application mailed from the U.S. Patent and Trademark Office (PTO) on May 19, 2000. The subject application has been allowed and the issue fee is being paid concurrently with the filing of this Request for Corrected Filing Receipt. Payment of the issue fee and the Issue Fee Transmittal are being sent directly to Mail Stop Issue Fee.

On April 8, 2005, Applicants mailed a Request for Corrected Filing Receipt to the U.S. Patent and Trademark Office requesting a change in Attorney docket number from 9855-30U1 to

3589.1016-001. Applicants did not receive a Corrected Filing Receipt. Thus, Applicants are filing this Request for Corrected Filing Receipt.

Please correct the Attorney Docket Number, the Customer Number and Correspondence Information, the Entity Status and the Title, as noted on the marked-up attached copy of the Filing Receipt. The changes are circled and in handwritten text.

In the Atty. Docket No. section, please delete "9855-30U1" and insert

---3589.1016-001---

In the Customer No. and Correspondence Information section, please delete:

"000570  
AKIN GUMP STRAUSS HAUER & FELD LLP  
22ND FLOOR ONE COMMERCE SQUARE  
2005 MARKET STREET  
PHILADELPHIA, PA 19103";

and insert:

--- 021005  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 VIRGINIA ROAD  
P. O. BOX 9133  
CONCORD, MA 01742-9133 ---.

After the "If Required, Foreign Filing License Granted 04/03/200," please delete "SMALL" and insert:

--- LARGE ---.

In the Title section, please delete "fezi" and replace it with

--- FEZ1 ---.

The title should read:

COMPOSITIONS, KITS AND METHODS RELATING TO THE HUMAN *FEZ1* GENE, A  
NOVEL TUMOR SUPPRESSOR GENE

A copy of the first page of the subject application, as filed, which indicates the correct title of the application, as filed, is attached to this Request.

Pursuant to instructions in the February 29, 2000 O.G., we hereby request that the errors which are identified above be corrected in the captioned application to which this request for correction is directed. It is understood that the Patent Office will issue an automatically-generated, corrected Filing Receipt in this and, if applicable, any other affected applications.

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By David E. Brook  
David E. Brook  
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Concord, MA 01742-9133  
Date: 10/11/06



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## FILING RECEIPT



\*OC00000005129073\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND  
COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY.DOCKET.NO              | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------------------|----------|------------|------------|
| 09/513,888         | 02/25/2000  | 1743         | 1994          | 9855-30U4-<br>3589.1016-001 | 22       | 66         | 33         |

000570-021005  
 AKIN GUMP STRAUSS HAUER & FELD LLP  
 22ND FLOOR ONE COMMERCE SQUARE  
 2005 MARKET STREET  
 PHILADELPHIA, PA 19103

MAY 25 2000

HAMILTON, BROOK, SMITH + REYNOLDS, P.C.  
 530 VIRGINIA ROAD P.O. BOX 9133  
 CONCORD, MA 01742-9133

Date Mailed: 05/19/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Carlo M. Croce, Philadelphia, PA ;  
 Hideshi Ishii, Bryn Mawr, PA ;

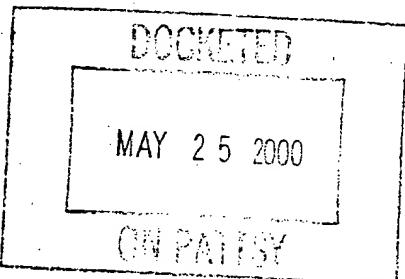
## Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/121,537 02/25/1999

## Foreign Applications

If Required, Foreign Filing License Granted 04/03/2000

LARGE  
 \*\* SMALL ENTITY \*\*



## Title

Compositions, kits, and methods relating to the human fez1 gene, a novel tumor suppressor gene



## Preliminary Class

436

Data entry by : DUNCAN, KIMBERELY

Team : OIPE

Date: 05/19/2000



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
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Washington, DC 20231



09855-30U1  
OTT-3157-1

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## COMPOSITIONS, KITS, AND METHODS RELATING TO THE HUMAN FEZ1 GENE, A NOVEL TUMOR SUPPRESSOR GENE

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### CROSS-REFERENCE TO RELATED APPLICATIONS

- This application is entitled to priority pursuant to 35 U.S.C. §119(e) to  
10 U.S. provisional patent application 60/121,537 which was filed on February 25, 1999.

### STATEMENT REGARDING FEDERALLY SUPPORTED RESEARCH AND DEVELOPMENT

- 15 This research was supported in part by U.S. Government funds  
(National Cancer Institute grants numbers CA39860, CA51083, and CA56336), and the  
U.S. Government may therefore have certain rights in the invention.

### BACKGROUND OF THE INVENTION

- 20 The invention relates generally to cancer and tumor suppressor genes.  
Proliferation of normal cells is thought to be regulated by growth-promoting proto-oncogenes and by growth-constraining tumor suppressor genes  
(Weinberg, 1991, Science 254:1138). Genetic alterations that inactivate tumor  
suppressor genes or that activate proto-oncogenes free cells from growth constraints  
25 imposed by the non-altered genes, thereby enabling tumor growth. Accumulation of  
genetic aberrations in a cell *in vivo* causes the cell to proceed from a normal growth or  
quiescent stage, potentially through a discernable pre-neoplastic stage, to a cancerous  
stage in which the cell replicates abnormally quickly, and potentially spreads to body  
locations at which the cell is not normally found (Knudson, 1993, Proc. Natl. Acad.  
30 Sci. USA 90:10914; Nowell, 1993, Adv. Cancer Res. 62:1).

The presence of a tumor suppressor gene at a particular chromosomal location is sometimes evidenced by an increased prevalence of loss of heterozygosity